

BRENTWOOD BOARD OF SELECTMEN
MINUTES OF 7/1/08

Convened: 6:30 p.m.

Present: David Menter
Kevin Johnston
Jeffrey Bryan
Andrew Artimovich
George Waldron

The Board met and reviewed payroll, accounts payable, and signed the register. The Board reviewed and signed the recreation register.

Jonathan Ellis was in to present the weekly Treasurer's report.

Artimovich made a motion to accept the minutes of the 6/17/08 meeting as written. Motion seconded by Waldron, all voted in favor.

Wayne St. Hilaire was in to discuss the Town Forestry Plan. The loggers will begin selective cutting of 30 acres behind the school and town office building within the next couple weeks. They hope to be in and out in about 3 weeks. The Board signed a notice of intent to cut. Artimovich made a motion, seconded by Waldron, to waive the timber tax that would be assessed to the Town. All voted in favor.

Gil Tuck, building inspector, was in with the following permits which the Board signed:

- Kevin Crowley of 134 Pickpocket Road for the addition of a porch.
- William Price of 254 South Road for an electrical upgrade.
- Rene Varrin on behalf of the Davis' at 68 Prescott Road to wire a hot tub.
- 2 single unit dwellings at Mill Pond Crossing.

The Board reviewed the notes:

- "Cricket" stopped in the office and said she was hoping that the Selectman who would be checking on her complaint at Granite Creek Nursery would call her before going so that she may accompany him. Bryan explained that he's already checked it out and did not see any site plan violation. Julie will send a note to "Cricket" notifying her of the results of the site visit.
- The Selectmen received an email from Sylvia von Aulock, Exeter's Town Planner, with concerns about the impact of Pine Road development. The Board asked Julie to discuss it with Glenn on 7/2 when he is in the office.
- The Town received information from Difeo regarding price protection programs. Julie has compiled the Town's fuel needs for next year. The Board would like to hold off on a decision for 4-6 weeks to see what the prices do.
- Bryan made a motion, seconded by Johnston, to revoke their decision to award the grange hall roof job to Ernie Atwater as he has not responded to a message that was left by Julie regarding a start date and insurance information. All

members voted in favor. At the 5/20/08 Selectmen's meeting, Atwater indicated to the Board that he would begin work in 2-3 weeks. A letter will be sent to Atwater informing him of the Board's decision. The job will be rebid and Atwater will be invited to submit another bid.

- On 6/30/08, a resident backed into a police cruiser that was parked in her driveway. The State Police were called in to investigate the accident to determine who was at fault. We are waiting for that decision.
- John Gigante called and is going to look into the drainage issue at Gigante Park and get back to the Selectmen.

Kathy St. Hilaire of the Recreation Commission was in to ask for the Board's permission to name the playground the "Brentwood Community Playground". The Selectmen agreed to this name. She also reported that they are going out to bid for a new sign out by Rte. 125. The commission would like the sign to say:

Brentwood Recreation Area

And

Community Center

It would also have a "reader board" format at the bottom that can be changed, similar to that at Swasey School. The Board approved the above format.

Kathy St. Hilaire requested the Board go into nonpublic session to discuss employee matters. Menter made a motion to go into nonpublic session per RSA 91-A:3, II(a). Motion was seconded by Johnston; all voted in favor.

Upon completion of nonpublic discussion, Bryan made a motion to exit nonpublic session and seal the minutes. Motion was seconded by Waldron; all members voted in favor.

Sharon Somers and Chris Hilson of Donahue, Tucker and Ciandella, PLLC were in to update the Board on the following outstanding legal matters:

- Lindon Ball Field purchase: The death of Violet Lindon has delayed the process as we wait for the Probate Court to settle estate matters.
- Alan Knowles: The motion for contempt has been filed. Knowles attorney indicates that Knowles will cease operations immediately. A hearing has been set for September. Somers inquired if the Board would like to withdraw their motion but has some concerns in doing that as Knowles appears to be confused as to what his rights are at the property. The Selectmen decided they would like to continue with the motion and ask for reimbursement of legal fees as well as a fine.
- Donaldson/Musto: A judgment was entered last year with the imposition of fines. They have not complied with the court order to clean up the "junk" and reimburse the Town for attorney fees. Hilson will file a motion of contempt asking for a reiteration of the order, payment of all fines, and new attorney fees in addition to the previous ones. Hilson will also recommend incarceration if needed, and possibly a petition to attach the property. We will wait for a hearing date.

- Musso: This violation has been going on for several years. Musso's attorney has said he will accept service of the cease and desist being issued on behalf of the Town given certain conditions are met. The Board does not want to meet any of their conditions and would like to just have it served by the Sheriff's department. The Firemen's Association is involved in quiet title action on the westerly parcel and has a hearing set for mid October. It is Town Counsel's recommendation to see if we can get in with the Firemen's Association on the quiet title action as it would get us into the court system sooner since they already have a court date set up. If we were to do that, we would continue separately with the cease and desist on the easterly side. Waldron made a motion, seconded by Bryan, to follow this recommendation. All voted in favor.
- Willim: Hilson has drafted a letter to Dan Jones who has taken over as Willim's attorney. The letter states that the situation needs to be eradicated by 7/15/08 or else a motion for contempt will be filed.

The Selectmen thanked Somers and Hilson for coming in and updating them on all of these issues.

Johnston made a motion to go into nonpublic per RSA 91-A:3, II(e). Motion was seconded by Waldron. Menter, Johnston, Bryan & Waldron voted in favor. Artimovich recused himself and left the room.

Public session continued after a vote by Waldron, seconded by Bryan to come out of nonpublic session and seal the minutes. Menter, Johnston, Bryan, and Waldron voted in favor.

Wayne Robinson, road agent, asked for permission to remove some trees on Lake Road. The Board agreed they could.

The Board signed the following documents:

- A release of funds from the bond for Phase 4 of Deer Hill Farms in the amount of \$4,000. Johnston made a motion to release the funds, seconded by Artimovich. All voted in favor. In addition, Johnston made a motion, seconded by Artimovich, to hold a public hearing in August to accept Homestead Lane and Sherry Circle as Town roads. All voted in favor.
- Bryan made a motion, seconded by Waldron, to approve an abatement for Linda Johnston in the amount of \$18.97 per the recommendation of Jim Michaud, assessor. Menter, Bryan, Artimovich, and Waldron voted in favor. Johnston abstained.
- A letter to Bob Webb thanking him for accepting the scrap metal from White Goods Collection free of charge.

The Selectmen reviewed a letter from Cleo Castonguay regarding the bids for the air conditioning at the BCC. They asked Julie to get in touch with Bruce Hermeneau and request a copy of an analysis that was done for him of the existing systems and duct work which would be used for the BCC air conditioning. Artimovich made a motion to award

the BCC air conditioning bid to Hermeneau contingent upon finding the funding for the installation. The motion was seconded by Bryan; all voted in favor.

Johnston requested that the Board discuss various options for conserving fuel at the next meeting.

At 8:45 p.m., Waldron made a motion to adjourn, seconded by Artimovich. All voted in favor.

Respectfully submitted,

Julie Stevens